

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL



June 4, 2024

Public Meeting Advertised for 7:00 PM
Conducted at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence

Roll Call:

Present	Robert H. Carnahan Council Member	Ward 1	Present	Mary Joan Dickson Council Member	At Large
Present	Julie Rivera Council Member	Ward 2	Present	Richard C. Thiel Jr. Council Member	At Large
Present	Nick Recupito Council Member	Ward 3	Present	Jennifer N. Sandberg, IAMC, CMC, CPFIM Clerk-Treasurer	
Present	Chuck Becker Council Member	Ward 4	Present	Jeff Bunge Town Manager	
Present	Greg Parker Council Member	Ward 5	Present	David Austgen Town Attorney	

PRESENTATION: Sheryl Corey, Shared Ethics Commissioner, reported on the Shared Ethics training on May 31, 2024. She reported it was well attended. Cedar Lake was represented by Sheryl Corey, Jennifer Sandberg, Brandon Szamatowicz, Sarah Ely, Jeff Bunge, and Mindi Ray. She thanked everyone for attending. She stated during the lunch they discussed Cedar Lake and some of the processes as well as the update to the personnel policy. She stated it is important for transparency and consistency with Town departments. She reported the Shared Ethics Summit will be held on October 24th. That summit will be open to the whole community. She will share more information as it is received. The commission sent out the Primary Election Ethics Pledge and received 71% of the pledges back signed. That is 45 out of the 63 candidates. She stated she will be working with the Town's trainers to get them trained. She hopes to have it finalized in the next few weeks. She is hoping to have some trainers from the police and fire departments. She stated her next meeting will be July 17th.

PUBLIC COMMENT

None

CONSENT AGENDA

1. **Minutes:** April 16, 2024 and May 21, 2024
2. **Claims:** All Town Funds: \$211,882.53; Wastewater Operating: \$193,512.36; Water Utility: \$56,249.33; Storm Water: \$23,558.68; and Payroll: May 23, 2024 and May 31, 2024 - \$289,951.27

A motion to waive the reading of the minutes and approve the consent agenda was made by Chuck Becker with second by Greg Parker. Mr. Carnahan discussed the claims for wastewater treatment. He stated he tallied the total of \$117,897.88. He asked if that was all that they paid for one month. Ms. Sandberg stated yes, one bill is for outstanding debt obligations with the SRF and the other is for the estimated charges for monthly operations and maintenance. Discussion continued on the monthly charges and true-up with Lowell. Mr. Carnahan discussed transparency by the Council and meetings. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

ORDINANCES/RESOLUTIONS

1. **Ordinance No. 1488 Regulations for Bus Vehicles and the Discharge of Passengers**

Mr. Recupito stated this is the second reading. Mr. Parker read Ordinance No. 1488 by title only. Mr. Recupito stated it was deferred after the first reading as the exhibit was missing from the packet. It is part of the packet this evening for consideration. Mrs. Rivera asked if the language was from others. She asked if other Towns were doing what it says such as passengers getting background checks and it discusses fines too. Mr. Austgen stated to his knowledge yes. They gathered a lot of information regarding the ordinance. Mrs. Rivera asked if they have jurisdiction over interstate commerce. She asked if it was something enforceable by Town Code. Mr. Austgen stated it can be. This is specific to Cedar Lake and safety measures being implemented by the Town Council for Cedar Lake citizens. A lengthy discussion continued on the ordinance and purpose.

A motion to adopt was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – No, Rivera – No, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 5 – 2.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

2. Ordinance No. 1489 Special Events Amendment

Mr. Recupito reported there has been lengthy discussion on the item to get it fine-tuned. He asked Mr. Austgen to go over the outstanding item. Mr. Austgen stated the ordinance primarily addresses the administrative handling of a special event permit application. It requires the administrative staff responsible under supervision of the Town Manager to timely process such special event permits and to do so in an expedited fashion. The open item is not really an open item. It is a time period of no less than a number of days for processing, from filing to action, either issuance or denial on the permit application. He stated perhaps seven days or ten days, seems to make sense. Mrs. Dickson stated she would like to suggest ten days. That way if the person who is in charge of the applications is off. Mr. Austgen asked Mr. Recupito if he would like to solicit a motion to add the number of days to fill in the space holder, take a vote on that, and then act on the ordinance. Mr. Kubiak discussed Department Head meetings that occur every two weeks, the Tuesday before a Council meeting. He stated at that time all the Department Heads who sign the application are in the same room. He made the suggest for two weeks. Mrs. Ray discussed the process for special event permits when food is involved or if on the Town Grounds and insurance is required. She discussed the requirement for all documents being in place before consideration. She discussed the verbiage of the ordinance and asked if it was clear. Mr. Austgen stated he drafted the ordinance as directed by the Town Council to get the process moving more efficiently and timely. Mr. Thiel stated one of the issues to begin with was the food trucks. It was stated the goal was less snags. Mr. Recupito stated they struck the provision that it needed to be filed 30 days in advance. Now they are looking at no less than x number of days. Mrs. Dickson asked about the application and signatures of the department heads. The ordinance stated as approved by the Town Manager. A discussion occurred on the application and signatures required. Discussion continued on the matter. Ms. Sandberg noted on April 16th, there was a lengthy discussion regarding the language of the ordinance. It was discussed to add language to give the Town Manager the authority to expedite smaller scale items such as a food truck. A lengthy discussion continued.

A motion to amend Section One of Ordinance No. 1489 to read as “No more than 10 days” was made by Mary Joan Dickson with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

A motion to approve the first reading of Ordinance No. 1489 was made by Julie Rivera with second by Chuck Becker. Roll Call: Carnahan – No, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 6 – 1. Second reading will be considered on the next agenda.

NEW BUSINESS

1. Rescind offer of Full-Time Employment offer to Mark Whitlock

A Favorable recommendation (4-0) was received from the Board of Safety on April 24, 2024. Chief Wilkening reported they offered the gentleman a job and it was rescinded by the Board of Safety because they were in the middle of a policy change on the agility test, they require. He reported they worked on it for quite a while and the subject took the approved agility test that is required and passed it. He stated as part of the discussion he had with the President prior to the meeting, he said to take it back to the Board of Safety for approval. He stated he is going to request the Board of Safety do an emergency meeting between now and the next Council meeting so that they can hire Mr. Whitlock. He stated they are currently down two people. He is hoping to have both of them ready for the Council meeting if Board of Safety approves them. Mr. Recupito stated if it is the board’s pleasure, it will be rescinded and the Board of Safety has to approve it. Mrs. Dickson asked for clarification. Chief Wilkening stated they approved him originally. Mr. Thiel stated to go get tested. Chief Wilkening stated no. They approved to hire him. Mr. Thiel stated they approved to hire him pending testing. Chief Wilkening stated no, they made him an offer prior to and then he was told he had to go for a test, based upon the fact that they were working on the actual policies at that time. The Board of Safety told him that he had to go for that test. Mr. Whitlock went to a testing center and did not pass it the first time. Chief Wilkening stated they then provided a CPAT test that was offered to another employee that came back from being ill. That exact test, which is the same test, and he passed it. He stated he is asking for it to be rescinded tonight and have the Board of Safety approve to hire him. Mr. Carnahan discussed the letter in the packet from the Board of Safety Chairman. Mr. Recupito noted Board of Safety members were present and asked if they were good. Mr. Kaper stated it was his recollection that Mark failed two attempts at the test at the Maac Center. Chief Wilkening stated he could not recall the location but responded yes. Mr. Kaper stated Todd came back and wanted to hire him. Mr. Kaper stated the board stated that he had to pass the test or attempt the test again. It was done at a facility in St. John and he passed. Mr. Kaper stated that was

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

bypassed around and the board did not hear that to begin with. Chief Wilkening asked what he meant. Mr. Kaper stated about him going and doing the second test. Chief Wilkening stated he went once on his own and then he tested after they requested him to test after he was offered the job, they changed the rules. Chief Wilkening stated he said to them they should give the guy another chance at the test. He stated the policy was not complete yet. He stated he asked the Board of Safety to allow him to take that test again. For that particular time, they set the test up themselves because they have an approved policy by the Board of Safety for that exact test. He stated they put that test together and he did it and passed. Chief Wilkening stated it is actually a harder test that the individual has been training for and that is why he passed it the third time. Mr. Recupito discussed following procedures. He stated it needs to go back to the Board of Safety and be reconsidered there. Chief Wilkening stated he is fine with that he just wanted it clear on what took place. Mr. Thiel voiced concerns with timing. He stated the timing of the offer being rescinded and then the testing after the withdrawal. He stated the individual was tested after they voted 4 to 0. He stated that is his issue. Chief Wilkening stated the whole thing was messy. He stated they were in the process of changing policies because of a prior incident. He stated he was already in the hiring process at that time. Discussion continued on the matter.

A motion to rescind the offer of full-time employment until such time the Board of Safety gives a recommendation was made by Greg Parker with second by Mary Joan Dickson. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

2. Approve Amended Placement Agreement for a full-time ATM in the Police station

Mr. Austgen stated he received it after the last meeting and from his perspective it is an unacceptable document for a vendor agreement. He stated a rewrite would be needed of a contract if in fact they wish to consider the item. Other considerations would be policy type considerations. He stated he put that in writing to them. A brief discussion continued on the proposal.

A motion to deny was made by Richard Thiel with second by Greg Parker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

3. Approve request to extend an offer of employment agreement to the Deputy Technology Director – GIS Coordinator candidate

Mr. Thiel reported that Council Affairs met with the candidate for a second interview. He stated they were impressed with the person. He stated part of the discussion was the pay. Ms. Sandberg noted a recommendation was sent from the IT Director and it discussed a starting salary. Mr. Thiel stated he spoke with Mary Joan and they thought they would not start at that higher level. He recommended they start him out at \$65,000. Mr. Carnahan asked how many people applied. Ms. Sandberg stated five or six applicants but they interviewed two. Mr. Carnahan asked who made the recommendation. Mr. Thiel stated he and Mary Joan got the recommendation from Mr. Wroe. He stated they met with the candidate and then had discussion after with Mr. Wroe. He stated there is a definite need. Mr. Recupito asked when they extend an offer of employment do they discuss details. Ms. Sandberg stated with all the discussion regarding the salary, she recommended they make that part of the motion. Everything else would be the standard onboarding, upon approval, they will move forward with onboarding the individual. Mr. Austgen noted that does not necessarily include job position description and that needs to be specified and tied into the responsibilities on the employee. Ms. Sandberg stated they do have a job description on the books. Mr. Thiel stated he shared it with them via email. Mr. Carnahan asked if the individual would accept the \$65,000. Mr. Thiel stated they did not discuss that with him but in his application, he noted a dollar amount and this is above that amount. Mr. Thiel briefly discussed the job description for the position. Mrs. Dickson added that safety and technology has to rise up within their priorities. She stated they have to protect it. Having Cliff do it alone is too much. He is doing a great job. She stated it gives them another person to support all of the technology and security. Mr. Carnahan asked if they have money budgeted for it. Ms. Sandberg stated it was budgeted for and the salary ordinance was updated. If it is the Council's pleasure to approve, they will send out a conditional offer of employment tomorrow. Mr. Thiel asked about employees signing their job descriptions. Ms. Sandberg stated it is part of the onboarding paperwork. They sign that they have read, reviewed, and are accepting of the job description.

A motion to approve the offer of employment at a salary of \$65,000 was made by Mary Joan Dickson with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

4. Award a contract for the Fire Department Emergency Vehicle Preemption Project Bid

Mr. Recupito referred to the bid letter from Christopher B. Burke Engineering in their packet. Two bids were received for the project. One was from Midwestern Electric Inc. at a bid of \$72,601 and the other was from Hawk Enterprises, Inc. at a bid of \$59,308.80. The engineer's estimate of project cost was \$50,730. Both bids came in higher than the engineer's estimate. He asked if this is for the new station. Chief Wilkening stated it is to activate the street lights. Mr. Recupito asked which street lights it will activate. Chief Wilkening stated there are supposed to be two lights out there, one on both sides of the property to turn red eventually. Mr. Kubiak stated that is the project for installing those two lights and the detection. Mr. Recupito asked if this stops traffic north and south on Morse for equipment to get out. It was stated yes. It is a technology thing. Mr. Parker asked why it did not get figured in with the build out of the project. Chief Wilkening stated he believes it is in it. Ms. Sandberg stated it is not part of the project budget. It would have to come from contingency monies available. Mr. Wroe stated this was news to him and he has no idea what is going on with it. A brief discussion continued on the project. Mr. Recupito asked about the contingency money. Ms. Sandberg reported it is her understanding that within the project budget there was some contingency monies for anything that may arise with the project. Her understanding is that if they were to award it to the lowest bid, it would be able to be paid for out of the contingency monies. Mr. Recupito asked if the contingency money is from the bonds. Mr. Austgen stated it is part of the project contract. Mrs. Dickson asked if they have an idea of the amount of contingency available and if it would be covered. Ms. Sandberg stated it is her understanding. She does not have a full dollar amount of what is available in contingency on the fire side. She suggested reaching out to the owners' representative to confirm. Mr. Parker voiced concerns with the possibility of multiple contingencies. Mr. Becker voiced concerns with Constitution and the need to widen the street. Mr. Bunge stated Constitution would be a separate project. CBBEL is working on funding. If they get funding there is a formula for buy down with other agencies. Mr. Recupito stated he is not ready to act without knowing if there is money to cover and the exact amount. He asked Jennifer how they get that. Ms. Sandberg stated she would reach out to the owners' representative to get them that information. Chief Wilkening stated it was part of the budget. It is not outside of it. Whatever contingencies were discussed, did not take the project over. The contingencies were given back to the project for whatever was needed. Mr. Thiel asked what the contingency was. He asked if it was like 10%. He stated the heated floors were a contingency. Mrs. Dickson asked about the contingency for water. Chief Wilkening stated that was outside of this project. Mrs. Dickson asked if there was money appropriated from the fire station for Morse Street. Mr. Kubiak stated yes. Discussion continued. Mr. Carnahan stated he heard that the water will cost almost \$800,000 to bring it to the buildings. Ms. Sandberg asked if he meant the water line extension. Mr. Carnahan stated to bring it from the well to the stations. Ms. Sandberg stated they approved the funding sources for that last year. Mr. Carnahan asked if that was about \$800,000. Ms. Sandberg stated yes, that is all accounted for. Mr. Recupito stated they are just waiting for permits. Ms. Sandberg added the cash is sitting in the bank for the water line extension. Discussion continued on water related matters as well as the project.

A motion to defer was made by Chuck Becker with second by Greg Parker. Roll Call: Carnahan – No, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 6 – 1.

5. Approve the Change Order #2 Request for the 2024 Crack Seal & Pavement Marking Project from \$158,918.00 to \$160,488.92

Mr. Recupito reported the contract was modified for final field measured quantities installed for the project versus the planned quantities. Additional arrows and stop bars were added at the 133rd and Morse intersection due to their faded conditions. Four (4) inch white solid pavement markings were added to the contract for quantity installed. Mr. Thiel stated it is an increase of \$3,369.17. Mr. Recupito asked Ms. Sandberg where the funds would come from. Ms. Sandberg reported this was the 2023-2 CCMG project. The Town received \$79,459 and will pay the difference of \$81,029.92 from Motor Vehicle Highway. A brief discussion continued.

A motion to approve was made by Robert Carnahan with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

6. Approve Pay Request #1, Final, for Crack Seal and Pavement Marking Project in the amount of \$160,488.92

A motion to approve was made by Robert Carnahan with second by Mary Joan Dickson. Mr. Carnahan stated this is to pay the money they just approved. Mr. Recupito stated yes. Mrs. Dickson discussed the Town approving the Federal ADA guidelines for the handicapped. She stated traveling around the community, they are not following those guidelines. She stated she wants to make sure that is followed when they are marking the pavement. Mr. Carnahan stated for future projects. Mrs. Dickson stated right here, for this pavement marking. She asked if it was for a road or parking area. Mr. Bunge stated this is all road. Mr. Kubiak stated this is all road striping on 133rd. They are doing all of the ADA curb cuts and road crossings on every project. As new projects are being done, they are being checked for that and uniformity. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

7. Approve 2023 CDBG Lynnsway ADA Improvements Change Order #1 from \$78,345.60 to \$72,904.29

Mr. Recupito reported this item as a balancing change order. This order represents changes in contract planned quantities due to actual final field measured quantities. This is a decrease of \$5,441.31.

A motion to approve was made by Robert Carnahan with second by Greg Parker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

8. Approve 2023 CDBG Lynnsway ADA Improvements Pay Request #1, Final, in the amount of \$72,904.29

A motion to approve was made by Robert Carnahan with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

9. Approve Shades Subdivision Improvements, Phase 1, Pay Request #5, in the amount of \$155,308.92

Mr. Recupito asked Mr. Kubiak to report on the status of the project. Mr. Kubiak reported they are finishing up pipe work within the next day or so and will be moving on to the curbs and streets. It should be wrapped up by the end of July. Mr. Carnahan stated this is phase one. Phase two will be submitted as part of the next Community Crossing Grant. Mr. Carnahan stated Jeff and Don submitted the application which was due July 1st. Ms. Sandberg stated the call opens July 1st and applications can be submitted through the end of July.

A motion to approve was made by Robert Carnahan with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

10. Review request from Park Board to change ordinance in order for rental fees to be deposited into parks budget

Mr. Recupito asked Ms. Sandberg to report. Ms. Sandberg stated the Council received a recommendation from the Park Board. She stated her recommendation would be that this is not necessary. The revenue from the shelter rentals goes into the General Fund. The Parks Department is a department within the General Fund. They benefit from all revenues hitting the General Fund. Mrs. Rivera stated she feels if the Parks Department has to keep up with the maintenance of the rentals, the fees are not significant, they should go right into their budget. They are responsible for it. Ms. Sandberg stated the department is within the General Fund so they are benefitting from them. Mrs. Rivera stated it is an insignificant amount but they are doing the upkeep. Mrs. Dickson stated the budget they just received from the levy increase gave them the money to operate and maintain the parks. Mrs. Dickson asked if that is what the petition was for. Ms. Sandberg stated that is exactly what the petition was for. Mrs. Dickson stated that levy should be able to handle the maintenance and upkeep of the recreational facilities. Ms. Sandberg discussed the request, annual receipts, and budgeting. Mrs. Ray discussed the difference with a non-reverting fund as well as maintenance and upkeep of facilities. Mr. Parker asked if funding was short. Mrs. Ray stated it is not about park funding being short. She stated they are still unclear about their duties and responsibilities with aged buildings and such. She stated they will be sitting down soon to discuss. Mr. Recupito discussed this item being premature before that discussion.

A motion to defer until after the June 25th meeting was made by Greg Parker with second by Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

11. Review 4 requests for Tourism Funds

- a. Summerfest
- b. Town Planner Calendars - \$300
- c. Parks and Recreation – Taylor Ice Festival
- d. Lassen’s Resort – at least \$1,000
- e. Cedar Lake Branding Materials for use in parades, events, etc. \$500

Mr. Recupito stated letters of request have been received from the organizations and the Parks Department. Mr. Recupito asked Ms. Sandberg the kind of money received. Ms. Sandberg reported the Town receives an annual allotment of \$4,725. Mrs. Rivera asked if they kept the monies for promotional items. Ms. Sandberg stated the last couple of years the funds went towards the Labor Day Fest and Trunk or Treat. Prior to that, Council’s had distributed it to requesting organizations like the Chamber for the symphony, the Summerfest as well as the museum. Mrs. Dickson spoke about the request for the calendars. She stated that is the calendar by the Town Planner. People with post office boxes do not receive them. \$300 would provide 600 more calendars for the community to promote activities. Mr. Recupito asked Mrs. Dickson what the Summerfest was requesting. She stated it is normally \$1,000. Mr. Carnahan asked how much the Taylor Fest wanted. Mrs. Ray stated they are just looking for a portion of the funds as they are trying to promote tourism in the community. They have not put a number on it but originally the Park Board asked for all of it. A brief discussion continued on the branding materials. Mr. Kubiak stated in the past he has asked for \$1,000 for frisbees from promotion but they actually spend more like \$2,500 on the parade.

A motion to approve and give Summerfest \$1,000, Town Planner Calendars for \$300, the Parks Department \$500, Lassen’s Resort \$1,000, and \$1,000 for Cedar Lake branding materials was made by Greg Parker with second by Richard Thiel. Mrs. Rivera asked since there is leftover where will it go. Ms. Sandberg stated it sits in the fund as the tourism fund is a separate fund. An annual report is required to be completed for the SSCVA. That money will stay in the fund. Mr. Thiel asked if they have a deadline for when they have to use it. Ms. Sandberg stated no. In the past it has rolled over if there are any remaining funds. She asked for clarification on the branding materials. She stated in the past items like frisbees for the parades have been paid for out of the Council’s budget from the promotion line item, not tourism funds. Mrs. Dickson discussed the original mission of the tourism funds. A brief discussion continued. Ms. Sandberg noted to them that the funds have not yet been received and it wasn’t anticipated to be received until the end of July. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

12. Approve request to advertise for a water department crew worker position

Mr. Recupito stated it is his understanding they lost someone and this is to replace. Ms. Sandberg answered in the affirmative. Mr. Kubiak stated the individual did not make it through the probation period. They are looking to replace. A brief discussion continued.

A motion to approve was made by Robert Carnahan with second by Richard Thiel. Mr. Carnahan asked Ms. Sandberg to tell everyone where they advertise. Ms. Sandberg stated on the Town’s website, Facebook, and it is posted in the front vestibule. Depending on the position is whether or not they will work with AIM to get it posted on their site or if there are other networking entities that will post on their sites. She stated with the fire posting there were professional organizations that were able to share the post. She stated she is hesitant to use job boards as there is cost with them. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

13. Appoint new Board of Safety Member

Mr. Recupito stated they had received the resignation of Jim Olthoff. He opened the floor for nominations. Mr. Becker nominated Larry Nagy. No other nominations were received. A second was made by Greg Parker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – No, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 6 – 1.

REPORTS

1. **Town Council** – Mr. Carnahan reported on the Chamber of Commerce’s Kids Fishing Derby. It rained but people still attended. They gave out hot dogs and Vito’s and State Farm were there. Mr. Thiel reported they still have yet to receive the true-up for 2023. Mr. Carnahan asked when they are supposed to get it. Ms. Sandberg stated her understanding of the agreement is they are supposed to receive it in March. The last few years it has been late May and early June when they have received the full report. Mr. Recupito asked if it is in the agreement. Mr. Thiel stated it is in the agreement. Mr. Carnahan asked if there was any indication of when they would get it. Ms. Sandberg

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

stated no. Mr. Carnahan stated it could be later. Ms. Sandberg stated yes because last year it was received on June 3rd and today is June 4th. Mr. Recupito asked if they should be reaching out to Lowell or just wait. Mr. Thiel stated they have asked. They were given an explanation that the Clerk-Treasurer was new and dealing with it. He stated he has had conversation with Sue Haase and they do not agree with the answer. That person was doing similar work before when they were here. Mr. Recupito asked Mr. Austgen about the agreement with Lowell and it not being followed. Mr. Austgen stated since 1973. Mr. Recupito asked if anything could change. Mr. Austgen stated not since 1973. Mr. Carnahan stated they gave them some questions and asked Mr. Thiel if they had received a response. Mr. Thiel stated no. The questions were in response to the 2022 true-up. He stated Sue Haase had questions and there was an email thread back and forth with Mr. Hendrix. Immediately after the JMOB meeting held at Cedar Lake, he handed a copy to Mr. Hendrix and told him that a response has not been received and it is not going away. Mr. Thiel reported on May 24th he attended a community partner meeting at Hanover Community Schools. It was informative. He stated in addition to himself, Carl Brittingham, Bill Fisher, Tim King, Jeff Bunge, and Nick Mager were present. He stated the discussion was on radios and the screen display. He stated first responders would be able to do recognition with AI. Deputy Chief Brittingham stated those capabilities could be done through a phone or tablet. It is the capability of the new Motorola radio. The radios are around \$12,000. Mr. Becker asked about getting new chairs. Ms. Sandberg stated she has had discussions with Mrs. Dickson. She stated it is not something that was budgeted for but she will do a review of the Town Council budget and see if there is something that can be done.

2. **Town Attorney** – No report.
3. **Clerk-Treasurer** – Ms. Sandberg stated it looks like she'll be busy tomorrow with letters and postings due to all the action that occurred this evening.
4. **Town Manager** – No report.
5. **Director of Operations** – Mr. Kubiak discussed the sewer project just south of Town Hall. He stated there was a dropped manhole that was plugged up. When Schilling tapped into the bottom of the manhole, they discovered there is an outside drop that sewage drops about fifteen feet for elevation purposes. There is a pipe outside of the manhole that allows the sewage to go down into the bottom of the manhole. It is a twenty-one-inch interceptor sewer line and the drop is only eight inches. It has been plugged up for a long time. When they had the sewer main relined and the manholes rehabilitated, they unclogged the drop and it lasted about a month. He stated he believes it is undersized. He stated there are sheets and towels and other crazy items in there. He stated they found there was a sinkhole under Morse. They had to get it addressed. It is properly tied in and repaired. Reichelt Plumbing did the job. Mr. Kubiak stated the gazebo is torn down and removed. He stated he has heard multiple questions on rebuilding or moving the location. He stated he does not want to spend time getting quotes to rebuild if that is not their wish. Mr. Parker stated yes, it is getting rebuilt and yes, it is probably getting relocated. Mr. Carnahan asked where that is going to go. He stated he has heard nothing about it. Mrs. Dickson stated she discussed it earlier. Mr. Kubiak stated it is insured for approximately \$32,000. They waived the deductible to the Town cleaning it up themselves. Mr. Parker stated Mary Joan suggested it going more towards the lake. Mrs. Dickson shared concerns with the artwork. She discussed relocated the artwork to where the gazebo was. She stated the gazebo was supposed to be at the northwest corner originally. She stated that is what she would like them to look into. Discussion continued on a potential location change for the gazebo. Mr. Thiel discussed attending the Building Department meetings. He discussed the number of permits year to date. He stated last year there were 330 and up to 414 this year. He stated they are still absent the Planning Coordinator. He stated he is not making a suggestion for hiring a Planning Coordinator but there has been discussion on hiring someone for a position within the Building Department. He stated he believes that is something they should act on soon. He stated Tim mentioned the zoning ordinance and meter size versus line size. Mr. Kubiak stated that is in the water regulations and the system development charges. According to Sue, that stuff is governed by the IURC. Mr. Kubiak stated meter costs were not updated in 2010. He discussed adjusting meter costs. He stated the fees are based on line size. If you have a 5/8 meter, you pay a system development charge for a one-inch line. The requirement is every house must be supplied by a one-inch line. He stated they are running into issues with the bigger projects. He continued to voice concerns with the system development charges. After discussion with Sue, they would have to appeal to the IURC to change those rates. Mr. Thiel stated he did not bring this to Sue's attention. It is something they would need to consider. Ms. Sandberg stated Sue had discussion with Mr. Kubiak and she spoke with Sue regarding this matter. Sue stated the sewer system development charge is based on line service size. That reason is because when the Town started sewer system development charges it was necessary because there was no water utility. The water utility has the tap fee and system development charges based on meter size. That is the acceptable way or required way of doing it at the IURC. She stated Tim asked her to find

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

out if it is possible that the tap fees and system development charges could change as the costs change. She stated in all her years working with the Commission and with the OUCC, that is not something they do. That is why regulations take so much time. They can change the tap fee for water on a thirty-day filing. It could be more like ninety days. That is only the tap fee. The system development charge just had a filing in 2022. She does not know why they would want to change that. Mr. Kubiak discussed having a tap fee plus meter costs. Mr. Kubiak stated the tap portion is old and needs to be updated. Mr. Parker asked David if they could change that language to actual cost. Mr. Austgen stated they could but they would end up before the Commission on a petition. Mrs. Haase stated she believes they can say for a typical size meter like 5/8 or 1-inch, the Commission has jurisdiction over the dollar amount they charge, they could do those typical size and anything else would-be time and materials. Discussion considered on the increased costs of meters and supplies. Mr. Kubiak continued to discuss the tap fee and costs. Mr. Carnahan stated they needed to get out of the Indiana Utility Regulatory Commission. There are few municipalities still in that. They tried it once before. He asked Mr. Austgen to explain the process. Mr. Austgen stated there is a petition with a public meeting and public hearing. Folks get to attend the public hearing. If there is adoption of an ordinance and the process continues, there is an appeal process. He stated they have done it twice and citizens in the right percentage have opposed the initiative. Mr. Carnahan discussed the large amounts of money spent on petitioning. Mr. Austgen stated it will be their best initiative when they are supported by the public. Mr. Carnahan stated the money they spent has to be passed along to the people. Mr. Austgen stated the last rate case was between \$300,000 to \$400,000. Mr. Recupito asked what this would cost them. Sue reported it would be a thirty-day filing. He understanding is they do not have to have regulatory attorney involved, just local counsel. They will review it, ask questions, and the Town has to file back up detail. They will let the Town know if they approve it or not. It is not as convoluted as a rate case. Mr. Austgen stated until they know the proposed request, they will not know exact as to which process is to be followed. A lengthy discussion continued on the matter and steps forward.

6. **Police Department** – Deputy Chief Brittingham stated summer is here. Mr. Carnahan asked about vehicle inspections. Deputy Chief Brittingham stated an email was sent out. They do not have a date yet.
7. **Fire Department** – Chief Wilkening stated no report. Mr. Carnahan asked about Ambulance 1263 going in for repairs and asked which ambulance it was and what the cost was. Chief Wilkening stated it is the Chevy and the older ambulance. Mr. Carnahan asked about rotation of ambulances. Chief Wilkening stated 1261 and 1262 are rotated. He stated they go out so often it does not matter. Mr. Carnahan stated to get a third ambulance out is difficult. Mrs. Dickson stated in moving the art piece it would help them. Chief Wilkening agreed. He said the art was placed on a geo-grid system that was set-up for them to access the lake for water. It is currently blocked. Mr. Becker asked if they could access by the dam. Chief Wilkening stated they would have to put in a lot of hose to get to the buildings on the grounds. A brief discussion continued on lake access as well as the light preemption project.
8. **Parks Department** – Mrs. Ray reported on June 5th will be the first community blood drive. They will be with the Red Cross from 12:30PM to 5:30PM. She stated so far fifteen people have registered. She stated they are at the next phase of the 5-Year Master Planning. On June 11th, they will have a meeting at 6:30PM with the engineering firm for public engagement. Everyone is invited to attend. They will be working with site boards and gathering information for the Parks. She stated they will be on site at the Farmers Market on June 12th for further engagement. She stated they have launched the survey for the public. Hard copies are available for those who can not do the survey online. That survey is the way for them to share their thoughts on the Parks for the next five years. They have received 115 surveys in one day. Mr. Bunge noted that is the same date and time as the Storm Water Board meeting. Mrs. Ray stated Kirsten did not tell them when they put the public notice out. A lengthy discussion occurred on meeting dates, times, and locations. Mr. Carnahan asked about the ribbon cutting ceremony for Kiwanis Park. Mrs. Ray discussed scheduling the ribbon cutting for after additional amenities are added as well as the communication board. She stated they still have one more component before they celebrate. Mr. Becker asked about the rain barrels. Mrs. Ray stated they are about to finish the sales. A brief discussion continued.

WRITTEN COMMUNICATION

None

PUBLIC COMMENT

Gayle Brannon, 7714 W. 139th Place, asked if the sewer money went back into the sewer fund. Mr. Recupito stated for a few weeks. Ms. Sandberg stated over a month. She reported to them with copies of the reports via email. Mr. Carnahan stated \$2.1 million was transferred back.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**

Carol Kerr, 9900 W. 129th Place, discussed crime watches in her previous municipalities. She stated they discussed with the public how to spot symbols and gang activity. She discussed gang activity at length. She asked the police department if they had gangs in Cedar Lake and if the police department knew about it and watched. Mr. Brittingham stated he does not know who exactly she is speaking of. He stated they probably have gangs in Cedar Lake but not quite to that capacity. Mrs. Kerr asked about motorcycle gangs. Mr. Brittingham stated not so much anymore. Mrs. Kerr continued to voice concerns. She asked if they have a committee that every year looks at everyone's salary. She stated St. John asks more. She asked why that is. Mr. Carnahan stated they have more assessed value than Cedar Lake. They have more money. Mrs. Kerr asked why that is with all the houses. Mrs. Dickson stated they need business and industry. Mr. Carnahan stated they have more money and Munster had to increase their pay too. Mrs. Kerr continued to voice concerns. Multiple conversations overlapped. Mrs. Kerr continued to voice concerns on why that is. Ms. Sandberg stated because of the assessed value. She stated when you look at the overall assessed values of communities, the Town of Cedar Lake's assessed value has grown year over year, but that is residential. Communities like St. John or the City of Crown Point are seeing far more commercial development and their assessed value has risen higher than the Town of Cedar Lake. It is all public record on the DLGF's website. That is the Department of Local Government Finance. All of the approved budget orders are listed on their website. You can see how the Town looks compared to surrounding communities. Mrs. Kerr stated maybe they need more business. She stated she heard a Menards wanted to come in and the last Town Council President said no. Mr. Carnahan stated that is not true. He stated he tried in 1991 to get Meijers to come and they said no. The population demographics do not fit the criteria. Mr. Carnahan stated they are open to business. Mrs. Kerr continued to discuss the difference in salaries of Council persons.

Terry Broadhurst, 14513 Morse, he discussed the emergency lighting on Morse. He discussed concerns if it was only solar. He discussed having a battery back-up. He voiced concerns with solar only. Mr. Recupito stated they would discuss that with the engineer.

ADJOURNMENT President Recupito called the meeting to adjournment at approximately 9:17 PM.

COUNCIL OF THE CIVIL TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

Robert Carnahan, Ward 1

Julie Rivera, Ward 2

Nick Recupito, Ward 3

Chuck Becker, Ward 4

Greg Parker, Ward 5

Mary Joan Dickson, At-Large

ATTEST:

Richard C Thiel Jr., At-Large

Jennifer N. Sandberg, IAMC, CMC, CPFIM
Clerk-Treasurer

The Minutes of the Cedar Lake Town Council are transcribed pursuant to IC 5-14-1.5-4(b), which states:

(b) As the meeting progresses, the following memoranda shall be kept:

- (1) The date, time, and place of the meeting.
- (2) The members of the governing body recorded as either present or absent.
- (3) The general substance of all matters proposed, discussed, or decided.
- (4) A record of all votes taken by individual members if there is a roll call.
- (5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.